

Milwaukee County Personnel Review Board

Meeting Minutes – May 27, 2014

I. Roll Call

Board President Daniel Dennehy called to order the regular meeting of the Personnel Review Board at 9:00 AM on Tuesday, May 27, 2014 in Room 201-B of the Milwaukee County Courthouse.

The following Board Members were present: Mr. Daniel T. Dennehy, Ms. Melissa D. Hudson, and Ms. Mary K. Bruno.

Ms. Susan A. Lueger and Ms. Melissa R. Soberalski were excused.

II. Approval of Minutes of the May 13, 2014 Meeting

Ms. Bruno moved, Ms. Hudson seconded and the Board, by vote of 3-0, approved the minutes of the May 13, 2014 meeting.

III. Approval of Minutes of the May 16, 2014 Meeting

Ms. Hudson moved, Ms. Bruno seconded and the Board, by vote of 3-0, approved the minutes of the May 16, 2014 meeting.

IV. Communications and/or comments from the public, if any

None.

V. Correspondence

The Board received an opinion letter from Attorney Paul Bargren Corporation Counsel regarding a change in the Milwaukee County Mental Health Board, rendering the decision that the PRB does not have the jurisdiction to hear discipline matters from BHD. The Civil Service Commission has not made a determination on taking the cases from BHD and had received the opinion letter as advisement. The Board heard the report of Attorneys Lee Jones and Molly Zillig, Principal Assistants Corporation Counsel regarding the matters scheduled under first appearances. The employees along with their representatives agreed to waive their rights to a hearing within 21 days and were seeking hearing certain dates. The Board scheduled the matters on Tuesday, August 5, 2014 to give time for the Civil Service Commission to make a decision on the matter.

VI. First Appearances

A. SUSPENSION & DISCHARGES

ARVAYA Y. CORBINS, Certified Nursing Assistant, BHD

SUS dated 05/09/14 for 5 days

DIS dated 05/09/14

DIS dated 05/09/14

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME that Arvaya Y. Corbins, who was present, waived her rights to a hearing within 21 days pursuant to Chapters 63.10 and 63.12, Wis. Stats., and authorized District Council 48, AFSCME to represent her before the Board in all matters regarding the instant charges and was seeking a hearing certain date. Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), scheduled all the matters of Arvaya Y. Corbins for joint hearing certain on Tuesday, August 5, 2014.

B. SUSPENSIONS

CYNTHIA CALDWELL, Certified Nursing Assistant, BHD

SUS 1-4118 dated 5/15/14 for 1 day

SUS 1-4119 dated 5/15/14 for 1 day

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME that Cynthia Caldwell, who was present, waived her rights to a hearing within 21 days pursuant to Chapters 63.10 and 63.12, Wis. Stats., and authorized District Council 48, AFSCME to represent her before the Board in all matters regarding the instant charges and was seeking a hearing certain date. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), scheduled all the matters of Cynthia Caldwell for joint hearing certain on Tuesday, August 5, 2014.

C. GRIEVANCE

SEAN TOURTILLOTT, Airport Maintenance Worker, DOT

GRI #52129 dated 04/16/14

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME that Sean Tourtillott, who was present, authorized District Council 48, AFSCME to represent him in this matter and is seeking a hearing certain date. Attorney Lee Jones, Principal Assistant, Corporation Counsel, had no objections. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), continued the matter of Sean Tourtillott for hearing certain on Tuesday, August 19, 2014.

EARL MAYS, Park Maintenance Worker, PARKS

GRI #45044 dated 04/14/14

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME that Earl Mays, who was present, authorized District Council 48, AFSCME to represent him in this matter and is seeking a hearing certain date. Attorney Lee Jones, Principal Assistant, Corporation Counsel, had no objections. Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), continued the matter of Earl Mays for hearing certain on Tuesday, August 19, 2014.

**DEBORAH GALL, Licensed Practicing Nurse, HOC
GRI #51522 dated 04/23/14**

The Board heard the report of Calvin Lee, Staff Representative, District Council 48, AFSCME that Deborah Gall, who was present, authorized District Council 48, AFSCME to represent her in this matter and is seeking a hearing certain date. The Board had some questions as to the jurisdiction of the matter since the employee has resigned effective May 9, 2014. The Board will make a decision on jurisdiction and whether or not the case can be heard on the merits on August 19, 2014. Attorney Lee Jones, Principal Assistant, Corporation Counsel, had no objections. Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), continued the matter of Deborah Gall for hearing certain on Tuesday, August 19, 2014.

VII. Update

A. SUSPENSION

**ALLEN BULTMAN, Deputy Sheriff 1, SHERIFF
SUS 1-3744 dated 06/01/12 for 20 days**

The Board heard the report of Charmaine Gee, Interim Executive Secretary for the Personnel Review Board that Allen Bultman, who was not present, will be retiring from his position in County Service effective June 1, 2014. Attorney Graham Wiemer appeared on behalf of Mr. Bultman had not objections. Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), accepted the retirement of Allen Bultman and closed this case.

VIII. Hearings

A. DISCHARGES

**KEVIN WHEELER, Deputy Sheriff 1, SHERIFF
DIS 2-3845 dated 11/09/12 for IA # 11-369
(Refer to Agenda Item VII C)**

**RICKY McCOY, Stores Clerk 3, ZOO
DIS 2-3963 dated 06/12/13
(Refer to Agenda Item VII C)**

B. SUSPENSIONS

**KEITH VILLWOCK, Deputy Sheriff 1, SHERIFF
SUS 1-3746 dated 06/01/12 for IA # 11-295 for 20 days**

The Board heard the report of Attorney Graham Wiemer that an oral resolution agreement had been reached. Mr. Villwock's suspension will be reduced from 20 days to 5 days, and he will serve them on July 6, 7, 10, 11, and 12. Attorney Lee Jones, Principal Assistant Corporation Counsel, concurred. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), accepted the oral resolution of Keith Villwock and closed this case.

**TOY WASHINGTON, Office Support Assistant 2, COURTS
SUS 1-4022 dated 10/28/13 for 30 days**

The Board heard the report of Charmaine Gee, Interim Executive Secretary for the Personnel Review Board that Toy Washington, who was not present, resigned from County Services effective February 18, 2014. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), accepted the resignation of Toy Washington and closed this case.

**KHALID MAJEED, Correction Officer 1, SHERIFF
SUS 1-4072 dated 03/06/14 for IA # 14-035 for 6 days**

The Board heard the report of Lee Jones, Principal Assistant Corporation Counsel that he was able to contact Mr. Majeed and that Mr. Majeed intends to submit a waiver and accept his 6 day suspension. Ms. Bruno moved, Ms. Hudson seconded, and the Board, by unanimous vote (3-0), accepted the waiver of Khalid Majeed and closed this case.

B. HEARINGS

The Board heard the Ricky McCoy matter. At 12:00 p.m., the Board took a short break.

At 12:10 p.m. the Board reconvened and continued the Ricky McCoy matter. Next the Board heard part of the Kevin Wheeler matter. At 4:05 p.m. Ms. Bruno moved, Ms. Hudson seconded, and the Board voted (3-0) to go into closed session to deliberate the Ricky McCoy matter. At 4:21 p.m., after deliberating in closed session, the Board reconvened in open session.

RICKY McCOY, Stores Clerk 3, ZOO

DIS 2-3963 dated 06/12/13

Ms. Hudson moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), found the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (i), (j), (k), (l), (t), (u) and (x), and upheld the Charges for Discharge.

KEVIN WHEELER, Deputy Sheriff 1, SHERIFF

DIS 2-3845 dated 11/09/12 for IA # 11-369

Due to time constraints, the Board moved to continue the matter of Kevin Wheeler to Friday, May 30, 2014.

IX. Adjournment

Ms. Hudson moved, Ms. Bruno seconded, and the Board, by vote of 3-0, adjourned the meeting at 4:22 PM.

Minutes submitted by: Charmaine J. Gee, Interim Executive Secretary